

STATE OF RHODE ISLAND

PROVIDENCE SUPERIOR COURT
CIVIL ACTION NO.

FIRST FINANCIAL, LLC,
Plaintiff,

v.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC (“MERS”),

DECISION ONE MORTGAGE COMPANY, LLC,

and

MERSCORP HOLDINGS, INC.,
Defendants.

COMPLAINT AND JURY DEMAND

I. INTRODUCTION

1. This is an action brought by Plaintiff First Financial, LLC (“Plaintiff” or “First Financial”) against Defendants, Mortgage Electronic Registration Systems, Inc. (“MERS”), Decision One Mortgage Company, LLC (“Decision One”), and MERSCORP Holdings, Inc. (“MERSCORP”) (collectively, “Defendants”), seeking compensatory damages, restitution, attorney’s fees, costs, and other equitable relief arising out of violations of the covenant of good faith and fair dealing, intentional interference with contractual and business relations, interference with prospective business advantage, and violations of the Rhode Island Deceptive Trade Practices Act (R.I. G. L. §§ 6-13.1-1 *et seq.*).

II. PARTIES

2. Plaintiff First Financial, LLC is a domestic corporation duly organized and incorporated under the laws of the State of Arizona doing business in the State of Arizona from a place of business located at 10632 N. Scottsdale Road., B-466, Scottsdale, Arizona 85254.
3. Defendant Decision One Mortgage Company, LLC is a foreign corporation duly organized and incorporated under the laws of the State of Illinois doing business in the State of Rhode Island from 300 Centerville Road, Warwick, Rhode Island, 02886-0200.
4. Defendant MERSCORP Holdings, Inc. is a Delaware corporation with its principal place of business located at 1818 Library Street, Suite 300, Reston, Virginia 20190.

MERSCORP is owned by many of the most significant stakeholders in the mortgage industry, including mortgage originating and servicing companies (*e.g.*, Bank of America, CitiMortgage, Inc., GMAC Residential Funding Corporation, and Wells Fargo Bank, N.A.), government sponsored entities (*e.g.*, Fannie Mae and Freddie Mac), mortgage insurance and title companies (*e.g.*, First American Title Insurance Corporation and PMI Mortgage Insurance Company), and the Mortgage Bankers Association.

MERSCORP owns and operates the MERS System, which is a national registry that tracks the ownership and servicing rights of its members in residential mortgage loans.

As a national organization, MERSCORP conducts business in the State of Rhode Island.

5. Defendant Mortgage Electronic Registration System, Inc. ("MERS, Inc.") is a wholly owned subsidiary of MERSCORP. MERS, Inc. is a Delaware corporation with its principal place of business located at 1818 Library Street, Suite 300, Reston, Virginia

20190. MERS, Inc. is a national organization conducting business in the State of Rhode Island.

6. MERSCORP, the MERS System, and MERS, Inc. are referred to collectively as “MERS.”

III. PRELIMINARY STATEMENT

7. The mortgage industry created MERS to enable financial institutions to avoid publicly recording mortgage transfers, facilitate the rapid sale and securitization of mortgages *en masse*, and shorten foreclosure times. In the MERS System, MERS members purportedly log all their mortgage transfers in a private electronic registry instead of publicly recording the transfer in the local county clerk’s office. Financial institutions designate MERS, Inc. – a shell company with no interest in any mortgage loan – as the nominal “mortgagee” of the loan in the public records. The basic theory behind MERS is that, because MERS, Inc. serves as the “nominee” (or agent) for most major lenders, it remains the “mortgagee” in the public records, regardless of how often the loan is sold or transferred among MERS members.

IV. JURISDICTION AND VENUE

8. This Court has jurisdiction pursuant to R.I.G.L. § 8-2-14, granting it exclusive jurisdiction to hear actions in which the controversy exceeds the sum of \$10,000.00.
9. This Court has personal jurisdiction over each named Defendant pursuant to R.I.G.L. § 9-5-33 because each Defendant has conducted business in the State of Rhode Island, and, by each Defendant’s actions and/or omissions, has availed itself of the privileges of the laws of the State of Rhode Island.

10. This matter is subject to the jurisdiction of this Court because the conduct of Defendants giving rise to this action occurred primarily in Rhode Island.

11. Pursuant to the requirements set forth in R.I.G.L. 1956 § 9-4-5, venue is proper in this Court because the action is between nonresident parties, and thus suit against corporate defendants established outside of the State, if brought in the superior court, may be brought in the court for any county.

V. MATERIAL FACTS

12. On or about August 11, 2005, one Mr. Terrance J. DeYoung (“Mr. DeYoung”) obtained a Second Mortgage (“Second Mortgage”) from lender Decision One Mortgage Company, LLC in the amount of \$27,000.00.

13. The Second Mortgage was for a property located in Providence County, Rhode Island, Document # 21538, Book 5841, Page 156, address 49 Custer Street, Warwick, Rhode Island 02889, legal designation lots 160 and 161, Haswill Shore Plat, Warwick, Rhode Island.

14. At all times relevant, MERS acted as nominee for Decision One.

15. Mr. DeYoung’s Second Mortgage was recorded on August 16, 2005.

16. On or about February 1, 2007, MERS, as nominee for Decision One, assigned the rights to the Second Mortgage to First Financial, a true copy of which is attached as Exhibit A (the “Assignment”).

17. The Assignment of Mortgage document was notarized on February 23, 2007 and signed by MERS Vice President, James McDermott.

18. Thereafter, on or about June 4, 2021, MERS, without any notice to First Financial, erroneously filed a Satisfaction of Mortgage, thereby canceling and discharging the

Second Mortgage. No payment on the Second Mortgage held by First Financial was made to First Financial.

19. The Satisfaction of Mortgage was prepared by MERSCORP Holdings, Inc. and signed by Vice President Joseph Patry, a true copy of which is attached as Exhibit B.

20. MERS, however, had already assigned its rights to First Financial and thus retained no rights in servicing the Second Mortgage, including, but not limited to, the right of satisfaction.

21. After MERS erroneously filed the Satisfaction of Mortgage, the property located at 49 Custer Street, Warwick, Rhode Island – the subject of the Second Mortgage – was sold on or about August 27, 2021.

22. Upon learning of the erroneous discharge, First Financial sent MERS a Demand Letter on September 2, 2022, notifying MERS of the discharge and seeking payment of the payoff amount of \$70,562.29 plus per diem interest, accrued at a rate of \$8.02 per day, for a total of \$74,211.39 with interest continuing to accrue, a true copy of which is attached as Exhibit C.

23. MERS has not responded to First Financial's Demand Letter.

24. As a result of MERS' interference with First Financial's capacity to service the Second Mortgage, First Financial's expectation of mortgage payments from Mr. DeYoung was extinguished.

COUNT I
Tortious Interference with Contractual and Business Relations
(As to All Defendants)

25. Plaintiff incorporates the allegations in paragraphs 1 through 24 as if fully set forth herein.

26. Defendants, by their individual or concerted acts and/or omissions, intentionally interfered with Plaintiff's contractual and business relations by filing a Satisfaction of Mortgage in error, which ultimately prevented First Financial from servicing or receiving payment for the Second Mortgage it had been assigned, resulting in damages to First Financial.

COUNT II
Breach of the Implied Covenant of Good Faith and Fair Dealing
(As to All Defendants)

27. Plaintiff incorporates the allegations in paragraphs 1 through 26 as if fully set forth herein.

28. Defendants, by their individual and/or concerted acts and/or omissions, including, but not limited to, those described herein, violated the covenant of good faith and fair dealing by intentionally and knowingly interfering with the underlying purpose of the Assignment and thereby impairing the value of the Assignment when they intentionally and knowingly discharged the assigned Second Mortgage, resulting in damage to Plaintiff.

COUNT III
Tortious Interference with Prospective Business Advantage
(As to All Defendants)

29. Plaintiff incorporates the allegations in paragraphs 1 through 28 as if fully set forth herein.

30. Defendants, by their individual and/or concerted acts and/or omissions, including, but not limited to, those described herein, tortiously interfered with Plaintiff's economic expectation in servicing the Second Mortgage by intentionally and knowingly interfering with Plaintiff's capacity to realize that economic expectation when it discharged the Second Mortgage. Plaintiff retained an absolute right via the Assignment to future

economic benefits by servicing the Second Mortgage, which it was deprived of by Defendants' wrongful conduct. As a result, Plaintiff suffered damage.

COUNT IV
R.I. Gen. L. §§ 6-13.1-1 *et seq.*).
Violation of Rhode Island Deceptive Trade Practices Act
(As to All Defendants)

31. Plaintiff incorporates the allegations in paragraphs 1 through 30 as if fully set forth herein.

32. Defendants, by their individual and/or concerted acts and/or omissions, including, but not limited to, those described herein, have engaged in deceptive trade practices by intentionally and knowingly filing a Satisfaction of Mortgage where MERS, as nominee for Decision One, had already assigned any and all such rights to Plaintiff, thereby damaging Plaintiff.

VI. PRAYERS FOR RELIEF

WHEREFORE, Plaintiff prays this Honorable Court grant the following relief:

1. An award of compensatory damages;
2. An award of reasonable attorneys' fees and costs; and
3. Any such further relief as this Court deems just and proper.

VII. DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all counts so triable.

Respectfully submitted,
PLAINTIFF,
FIRST FINANCIAL, LLC
By and through its counsel:

/s/ A. Neil Hartzell, Esq.
A. Neil Hartzell, Esq. (Bar #4909)
FREEMAN MATHIS & GARY, LLP
60 State Street, Suite 600
Boston, MA 02109
neil.hartzell@fmglaw.com
Tel: (617) 963-5966

Dated: November 14, 2022

EXHIBIT A

Please return the recorded document to:

First Financial, LLC
7119 E. Shea Blvd., #109-466
Scottsdale, AZ 85254
(480) 443-3526

FF-4880

Document Prepared by Kim A. Jones

ASSIGNMENT OF MORTGAGE

Date of Assignment: February 1, 2007
For value received, Mortgage Electronic Registration Systems, Inc. "MERS," nominee for Decision One Mortgage Company, LLC, its successors and assigns, P.O. Box 2026, Flint, MI 48501-2026, hereby sells, assigns and transfers to: *First Financial, LLC* *KJ*
~~FOX 1 FINANCIAL~~, 7119 E. Shea Blvd., #109-466, Scottsdale, AZ 85254
and its successors and assigns all its rights, title and interest to a certain Mortgage described as follows:

EXECUTION DATE: August 11, 2005
LOAN AMOUNT: \$27,000.00
BORROWER/GRANTOR: Terrance J. DeYoung
LENDER: Decision One Mortgage Company, LLC
COUNTY / STATE: Providence County / Rhode Island
RECORDED: August 16, 2005
DOCUMENT #: 21538
BOOK / PAGE: 5841 / 156
COMMON ADDRESS: 49 Custer Street, Warwick, RI 02889
LEGAL: LOTS 160 AND 161, HASWILL SHORE PLAT, WARWICK, RHODE ISLAND.

Mortgage Electronic Registration Systems, Inc.
"MERS," nominee Decision One Mortgage
Company, LLC

James McDermott
James McDermott
Vice President

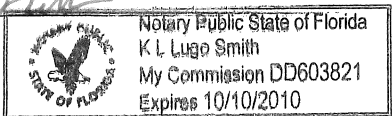
Scott A. Luty
Witness

STATE OF FLORIDA)
) ss
COUNTY OF HILLSBOROUGH)

On February 23, 2007, before me, K L LUGO SMITH, a Notary Public in and for said county and state, appeared James McDermott, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they are the J.P. of Mortgage Electronic Registration Systems, Inc. "MERS," nominee for Decision One Mortgage Company, LLC, and were duly authorized in his/her/their respective capacities to execute the foregoing instrument for and in the name and on behalf of said corporation and that said corporation executed the same, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and official seal,

K L Lugo Smith
Notary Public:
My Commission Expires:



RECORDED
Mar 07, 2007 12:48:54P
Marie T. Bennett, City Clerk
City of Warwick, RI

EXHIBIT B

Recording Requested By and
When Recorded Return To:
Merscorp Holdings, Inc., c/o NTC
2100 ALT 19 North
Palm Harbor, FL 34683

Document Prepared By:
MERSCORP Holdings, Inc. 1818
Library Street Suite 300 Reston,
VA 20190 1-888-679-6377

MIN# 100077910004485948

SATISFACTION OF MORTGAGE

THE UNDERSIGNED, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS, holder of a certain Mortgage made by TERRANCE J DEYOUNG, bearing the date of 08/11/2005 and recorded in the Land Evidence Records of the Town of **WARWICK, Rhode Island**, in **Book 5841 and Page 156**, does hereby cancel and discharge said mortgage and authorizes the Recorder to discharge the Mortgage of record.

Property is commonly known as: 49 CUSTER STREET, WARWICK, RI 02889.

Dated on 6/4/21 (MM/DD/YYYY)

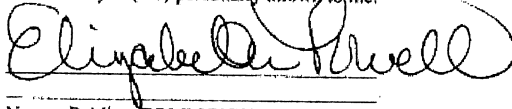
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS

By: 

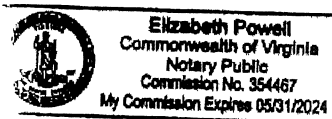
Joseph Patry
VICE PRESIDENT

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on 06/04/2021 (MM/DD/YYYY) by Joseph Patry, VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.



Notary Public - COMMONWEALTH OF VIRGINIA
Commission expires: 5/31/2024



MRSAY 424372532 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) COR MIN
100077910004485948 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI
48501-2026 T012106-11:17:46 [C-1] CORRI1



D0078137054

EXHIBIT C



Freeman
Mathis & Gary LLP

60 State Street
Suite 600
Boston, MA 02109-1800

Tel: 617.963.5975

www.fmglaw.com

A. Neil Hartzell

D: 617.963.5966

C: 857.366.1181

neil.hartzell@fmglaw.com

September 2, 2022

MERS

Docrequest@mers.org

**Re: First Financial, LLC
MERS Support Case No. CC27588106
DEMAND LETTER**

Dear Sir/Madam:

This office represents First Financial, LLC ("First Financial") in connection with its previous notices to MERS of MERS' erroneous discharge of a second mortgage held by First Financial for Mortgage Mr. Terrance DeYoung, 49 Custer Street, Warwick, RI 02889.

That mortgage, recorded at Book 5841, Page 156 in the town of Warwick, Rhode Island, was discharged by MERS on June 4, 2021.

That discharge was erroneous as no payments were made by anyone to First Financial to satisfy that mortgage so as to permit a discharge to be filed.

First Financial has previously sent you emails with the documents on August 11, 2021 and August 19, 2021 (copies enclosed). Other than providing a support case number, no response has been received by MERS. The payoff amount as of June 4, 2021 was \$70,562.29. Per diem interest continues to accrue at \$8.02.

Demand is made for payment of the payoff amount of \$70,562.29 plus per diem interest through September 2, 2022 for a total of \$74,211.39. Please make the check payable to First Financial, LLC and send to my attention.

If payment is not received within 15 calendar days of the date of this letter, we will have no choice but to commence legal proceedings. Please direct all future correspondence to the undersigned.

This letter is sent without waiver of my client's rights and claims.

Very truly yours,

/s/ A. Neil Hartzell

A. Neil Hartzell

Enclosures

From: James Loggins
Sent: Thursday, August 11, 2022 8:44 AM
To: docrequest@mersinc.org
Cc: Jim Schillinger <jims@fox1financial.com>
Subject: Erroneous Satisfaction of Mortgage

We have an issue in Rhode Island, where a Satisfaction was erroneously recorded by MERS(**MIN:1000779-1000448594-8**) and released our 2nd mortgage lien and coincidentally 2 months later the borrower sold the property. We are the current servicer of this loan and have owned the loan since 2007. Please see attached Assignment of Mortgage). Please let me know if you can help us with this file and I can send you over more documentation if necessary. I attached the Discharge of Mortgage for the 1st Mortgage lien and the Satisfaction of Mortgage for our 2nd mortgage that were both recorded within 3 days of each other. Thanks

James Loggins Sr.
Collections Manager
10632 N. Scottsdale Rd., B-466
Scottsdale, AZ 85254
Ph:(800) 958-2604 x38
Fax:(480) 443-9281
E-mail: jamesl@fox1financial.com

Information provided by Fox 1 Financial or its employees is not to be interpreted as legal advice; Fox 1 Financial is not a law firm or a certified public accountant and does not hold itself out to be either. Fox 1 Financial and its employees attempt to provide general information/ideas on issues commonly encountered by Clients. Requests for legal or technical opinions should be directed to your attorney or accountant.

Please understand that Fox 1 Financial is a debt collector and is required by law to inform you that this may be an attempt to collect a debt and any information obtained will be used for that purpose.

This message and attachments may contain confidential information. If you are not the intended recipient, you may not use this information in any way. If you have received this in error, please notify the sender by reply e-mail and immediately delete this message. Although this e-mail is believed to be free of any virus, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Fox 1 Financial in any way for its use.

Please return the recorded document to:

First Financial, LLC
7119 E. Shea Blvd., #109-466
Scottsdale, AZ 85254
(480) 443-3526

FF-4880

Document Prepared by Kim A. Jones

ASSIGNMENT OF MORTGAGE

Date of Assignment: February 1, 2007
For value received, Mortgage Electronic Registration Systems, Inc. "MERS," nominee for Decision One Mortgage Company, LLC, its successors and assigns, P.O. Box 2026, Flint, MI 48501-2026, hereby sells, assigns and transfers to: *First Financial, LLC* *KJ*
~~FOX 1 FINANCIAL~~, 7119 E. Shea Blvd., #109-466, Scottsdale, AZ 85254
and its successors and assigns all its rights, title and interest to a certain Mortgage described as follows:

EXECUTION DATE: August 11, 2005
LOAN AMOUNT: \$27,000.00
BORROWER/GRANTOR: Terrance J. DeYoung
LENDER: Decision One Mortgage Company, LLC
COUNTY / STATE: Providence County / Rhode Island
RECORDED: August 16, 2005
DOCUMENT #: 21538
BOOK / PAGE: 5841 / 156
COMMON ADDRESS: 49 Custer Street, Warwick, RI 02889
LEGAL: LOTS 160 AND 161, HASWILL SHORE PLAT, WARWICK, RHODE ISLAND.

Mortgage Electronic Registration Systems, Inc.
"MERS," nominee Decision One Mortgage
Company, LLC

James McDermott
James McDermott
Vice President

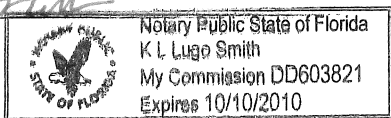
Scott A. Lugo
Witness

STATE OF FLORIDA)
) ss
COUNTY OF HILLSBOROUGH)

On February 23, 2007, before me, K L LUGO SMITH, a Notary Public in and for said county and state, appeared James McDermott, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they are the J.P. of Mortgage Electronic Registration Systems, Inc. "MERS," nominee for Decision One Mortgage Company, LLC, and were duly authorized in his/her/their respective capacities to execute the foregoing instrument for and in the name and on behalf of said corporation and that said corporation executed the same, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and official seal,

K L Lugo Smith
Notary Public:
My Commission Expires:



RECORDED
Mar 07, 2007 12:48:54P
Marie T. Bennett, City Clerk
City of Warwick, RI

The purpose for this assignment is to
Correct Assignee's address

Return recorded document to:
First Financial, LLC
10632 N. Scottsdale Rd., B-466
Scottsdale, AZ 85254
(480) 443-3526
Prepared by:
Susan A. McCormick

ASSIGNMENT OF MORTGAGE

For value received, **First Financial, LLC**, 7119 E. Shea Blvd., #109-466, Scottsdale, AZ 85254, hereby sells, assigns and transfers to: **First Financial, LLC**, 10632 N. Scottsdale Rd., B-466, Scottsdale, AZ 85254 and its successors and assigns all it's right, title and interest to a certain mortgage described as follows:

EXECUTION DATE:	August 11, 2005
LOAN AMOUNT:	\$27,000.00
BORROWER:	Terrance J. DeYoung
LENDER:	Decision One Mortgage Company, LLC, 6060 J.A. Jones Dr., #1000, Charlotte, North Carolina 28287
COUNTY/STATE:	Providence / Rhode Island
RECORDED:	August 16, 2005
DOCUMENT NO:	21538
BOOK / PAGE:	5841 / 0156
COMMON ADDRESS:	49 Custer Street, Warwick, Rhode Island 02889
LEGAL:	LOTS 160 AND 161, HASWILL SHORE PLAT, WARWICK, RHODE ISLAND

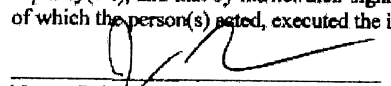
Dated this November 13th, 2015

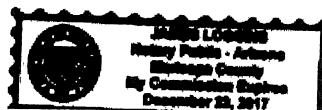

James E. Schillinger, Manager
First Financial, LLC

State of Arizona)
COUNTY OF MARICOPA) ss

RECORDED
Nov 23, 2015 12:04P
Judy Wild, City Clerk
City of Warwick, RI

On November 13th, 2015, before me, a Notary Public in and for said county and state, personally appeared James E. Schillinger, Manager of First Financial, LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal,


Notary Public, James Loggins
My Commission Expires December 23, 2017



RHODE ISLAND
CITY/TOWN OF WARWICK

WHEN RECORDED MAIL TO:
FIRST AMERICAN MORTGAGE SOLUTIONS
1795 INTERNATIONAL WAY
IDAHO FALLS, ID 83402
PH. 208-528-9895



DISCHARGE OF MORTGAGE

THE undersigned, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR CENTRAL PACIFIC MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS, located at P.O. BOX 2026, FLINT, MICHIGAN 48501-2026, the Mortgagee of that certain Mortgage, described below, that said debt secured by said Mortgage has been fully paid and satisfied, does hereby release and reconvey to the persons legally entitled thereto, all of its right, title, and interest in and to the real estate described in said Mortgage, forever discharging the lien from said Mortgage.

Said Mortgage executed by TERRANCE J DEYOUNG, Mortgagor ("Borrower"), to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR CENTRAL PACIFIC MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS, Original Mortgage, recorded on FEBRUARY 27, 2004 in Volume 5072 at Page 62 as Instrument No. 4760 in the Mortgage records in the Office of the Clerk of the City/Town of WARWICK, State of RHODE ISLAND and more particularly described:

LEGAL DESCRIPTION: AS DESCRIBED IN SAID MORTGAGE REFERRED TO HEREIN

PROPERTY ADDRESS: 49 CUSTER STREET, WARWICK, RI 02889

IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed on MAY 20, 2021.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE


MARIA PUNZO, VICE PRESIDENT

STATE OF ARIZONA COUNTY OF MARICOPA) ss.

On MAY 20, 2021, before me, REBECCA FRITZ, Notary Public, personally appeared MARIA PUNZO, VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or entity, who they acted on the behalf of, executed the instrument.


REBECCA FRITZ (COMMISSION EXP. 05/12/2024)
NOTARY PUBLIC



RECORDED
Jun 07, 2021 02:39P
Lynn D'Abrosca
City Clerk
City of Warwick, RI

Recording Requested By and
When Recorded Return To:
Merscorp Holdings, Inc., c/o NTC
2100 ALT 19 North
Palm Harbor, FL 34683

Document Prepared By:
MERSCORP Holdings, Inc. 1818
Library Street Suite 300 Reston,
VA 20190 1-888-679-6377

MIN# 100077910004485948

SATISFACTION OF MORTGAGE

THE UNDERSIGNED, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS, holder of a certain Mortgage made by TERRANCE J DEYOUNG, bearing the date of 08/11/2005 and recorded in the Land Evidence Records of the Town of **WARWICK, Rhode Island**, in **Book 5841 and Page 156**, does hereby cancel and discharge said mortgage and authorizes the Recorder to discharge the Mortgage of record.

Property is commonly known as: 49 CUSTER STREET, WARWICK, RI 02889.

Dated on 6/4/21 (MM/DD/YYYY)

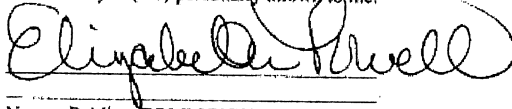
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS

By: 

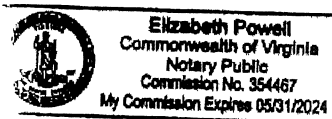
Joseph Patry
VICE PRESIDENT

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on 06/04/2021 (MM/DD/YYYY) by Joseph Patry, VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.



Notary Public - COMMONWEALTH OF VIRGINIA
Commission expires: 5/31/2024



MRSAY 424372532 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) COR MIN
100077910004485948 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI
48501-2026 T012106-11:17:46 [C-1] CORRI1



D0078137054

INST: 00021529 Bk: 9989 Pg: 163

RHODE ISLAND
CITY/TOWN OF WARWICKWHEN RECORDED MAIL TO:
FIRST AMERICAN MORTGAGE SOLUTIONS
1795 INTERNATIONAL WAY
IDAHO FALLS, ID 83402
PH. 208-528-9895**DISCHARGE OF MORTGAGE**

THE undersigned, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2005-IM3, located at 100 NORTH TRYON STREET, CHARLOTTE, NC 28255, the Mortgagee of that certain Mortgage, described below, that said debt secured by said Mortgage has been fully paid and satisfied, does hereby release and reconvey to the persons legally entitled thereto, all of its right, title, and interest in and to the real estate described in said Mortgage, forever discharging the lien from said Mortgage.

Said Mortgage executed by TERRANCE J DEYOUNG, Mortgagor ("Borrower"), to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR DECISION ONE MORTGAGE COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS, Original Mortgagee, recorded on AUGUST 20, 2005 in Volume 5841 at Page 140 as Instrument No. 21537 in the Mortgage records in the Office of the Clerk of the City/Town of WARWICK, State of RHODE ISLAND and more particularly described.

LEGAL DESCRIPTION: AS DESCRIBED IN SAID MORTGAGE REFERRED TO HEREIN

PROPERTY ADDRESS: 49 CUSTER STREET, WARWICK, RI 02889

IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed on

10-20-2021

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, L.P., FKA COUNTRYWIDE HOME LOANS SERVICING, L.P., AS ATTORNEY-IN-FACT FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2005-IM3

Name: Tracy Lowe
PRESIDENT

VICE

POD: 20210830
BA80501171M - LR - RI

Page 1 of 2



MIN: 100077910004485674

MERS PHONE: 1-888-679-6377

From: James Loggins
Sent: Monday, August 29, 2022 12:49 PM
To: MERS Doc Request <docrequest@mersinc.org>
Subject: RE: CC27588106 - Erroneous Satisfaction of Mortgage

Can I please have an update on this case? Thanks

From: MERS Doc Request <docrequest@mersinc.org>
Sent: Thursday, August 11, 2022 8:48 AM
To: James Loggins <jamesl@fox1financial.com>
Subject: CC27588106 - Erroneous Satisfaction of Mortgage



A support case has been opened. Please use CC27588106 to reference your case.

Regards,

MERS Doc Request
ICE - MERS Support
docrequest@mersinc.org

1-888-680-6377

Received from: JamesL@Fox1Financial.com

WARNING - External email from fox1financial.com

We have an issue in Rhode Island, where a Satisfaction was erroneously recorded by MERS(MIN:1000779-1000448594-8) and released our 2nd mortgage lien and coincidentally 2 months later the borrower sold the property. We are the current servicer of this loan and have owned the loan since 2007 Please see attached Assignment of Mortgage). Please let me know if you can help us with this file and I can send you over more documentation if necessary. I attached the Discharge of Mortgage for the 1st Mortgage lien and the Satisfaction of Mortgage for our 2nd mortgage that were both recorded within 3 days of each other. Thanks

James Loggins Sr.
Collections Manager
10632 N. Scottsdale Rd., B-466
Scottsdale, AZ 85254
Ph:(800) 958-2604 x38
Fax:(480) 443-9281
E-mail: jamesl@fox1financial.com

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Please understand that Fox 1 Financial is a debt collector and is required by law to inform you that this may be an attempt to collect a debt and any information obtained will be used for that purpose.

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Reference #: CC27588106
Customer: JamesL@Fox1Financial.com
State: New
Date Opened: 11-Aug-2022 11:46:42 EDT

Case Summary: Erroneous Satisfaction of Mortgage

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